

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 97,577-A)

PATENT

In the Application of:

Grabelsky et al.

Serial No. 09/680,910

Filing Date: October 6, 2000

For: METHOD AND PROTOCOL FOR A
MEDIUM ACCESS CONTROL LAYER
FOR LOCAL AREA NETWORKS WITH
MULTIPLE-PRIORITY TRAFFIC

Examiner: Kevin D. Mew

Group Art Unit: 2664

RECEIVED
NOV 05 2004
Technology Center 2600

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

Petitioner, **3COM CORPORATION**, is the owner of the entire interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of U.S. Patent 6,169,744, issued January 2, 2001. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any of the prior patents, as presently shortened by any terminal disclaimer, in the event that any of the prior patents expire for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of competent jurisdiction, are statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, are reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

11/04/2004 FFANAI2 00000013 132490 09680910

01 FC:1814 110.00 DA


For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

Copies of the assignment documents in the chain of title from the original owner to the assignee are attached, and were recorded in the Patent and Trademark at reel 9140 and frame 0550 for U.S. Patent 6,169,744.

The undersigned has reviewed the attached assignment documents and certifies that, to the best of the undersigned's knowledge and belief, title is in the assignee seeking to take the action.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: November 2, 2004

By: 
Robert J. Irvine III
Reg. No. 37,142

Representative of Record for
3Com Corporation

X Terminal Disclaimer fee under 37 C.F.R. Section 1.20(d) included.

ASSIGNMENT

Case No.: 97,577
Inventors: David Grabelsky, Ph.D.
Ikhlaq Sidhu, Ph.D.

Serial No.: 09/003,844

Date of Execution
of Application: January 6, 1998

Filing Date: Jan. 7, 1998

In consideration of One Dollar (\$1.00) and other good and valuable considerations in hand paid, the receipt and sufficiency whereof are hereby acknowledged, the undersigned hereby assign to:

3Com Corporation, a corporation of the State of Delaware

its successors and assigns, the entire right, title and interest in the invention or improvements of the undersigned disclosed in an application for Letters Patent of the United States, entitled:

METHOD AND PROTOCOL FOR A MEDIUM ACCESS CONTROL LAYER FOR LOCAL AREA NETWORKS WITH MULTIPLE-PRIORITY TRAFFIC

and identified as:

Case No. 97,577

in the offices of McDONNELL BOEHNNEN HULBERT & BERGHOFF and in said application and any and all other applications, both United States and foreign, which the undersigned may file, either solely or jointly with others, on said invention or improvements, and in any and all Letters Patent of the United States and foreign countries, which may be obtained on any of said applications, and in any reissue or extension of such patents, and further assigns to said assignee the priority right provided by the International Convention.

The undersigned hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said assignee.

The undersigned hereby authorize and request the attorneys of record in said application to insert in this assignment the filing date and serial number of said application when officially known, and the date of execution of the application.

The undersigned warrant themselves to be the owners of the entire right, title and interest in said invention or improvements and to have the right to make this assignment, and further warrant that there are no outstanding prior assignments, licenses, or other encumbrances on the interest herein assigned.

For said considerations the undersigned hereby agree, upon the request and at the expense of said assignee, its successors and assigns, to execute any and all divisional, continuation and substitute applications for said invention or improvements, and any necessary oath, affidavit or declaration relating thereto, and any application for the reissue or extension of any Letters Patent that may be granted upon said application and any and all applications and other documents for Letters Patent in foreign countries on said invention or improvements, that said assignee, its successors or assigns may deem necessary or expedient, and for the said considerations the undersigned authorize said assignee to apply for patents for said invention or improvements in its own name in such countries where such procedure is proper and further agree, upon the request of said assignee, its successors and assigns, to cooperate to the best of the ability of the undersigned with said assignee, its successors and assigns, in any proceedings or transactions involving such applications or patents, including the

preparation and execution of preliminary statements, giving and producing evidence, and performing any and all other acts necessary to obtain, maintain and enforce said Letters Patent, both United States and foreign, and vest all rights therein hereby conveyed in the assignee, its successors and assigns, whereby said Letters Patent will be held and enjoyed by the said assignee, its successors and assigns, to the full end of the term for which said Letters Patent will be granted, as fully and entirely as the same would have been held and enjoyed by the undersigned if this assignment had not been made.

WITNESS my hand and seal this 6 day of January, 1998.

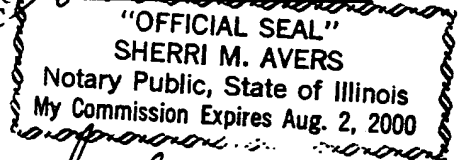
David Grabelsky
David Grabelsky, Ph.D.

State of Illinois

County of Cook

The foregoing instrument was acknowledged before me this 6 day of
January, 1998 by Sherri M. Avers

Sherri M. Avers
NOTARY PUBLIC



WITNESS my hand and seal this 6 day of January, 1998.

Ikhlaq Siddiqui
Ikhlaq Siddiqui, Ph.D.

State of Illinois

County of Cook

The foregoing instrument was acknowledged before me this 6 day of
January, 1998 by Sherri M. Avers

Sherri M. Avers
NOTARY PUBLIC

